

BILL NO. G-84-03-25

GENERAL ORDINANCE NO. G-

05-84

AN ORDINANCE amending General Ordinance  
G-30-76.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
OF FORT WAYNE, INDIANA:

SECTION 1. No person shall have in his possession any lighted  
pipe, cigar, cigarette, or other device for human smoking while:

(a) In or upon any elevator, in any building open to the  
public or used for human habitation for more than  
one family;

(b) In any food market which term shall include, but  
not necessarily be limited to, a grocery, meat  
market, poultry market, fish market, fresh fruit  
and vegetable market, delicatessen, confectionery,  
candy kitchen, nut store, retail bakery store or  
any other establishment, whether fixed or movable,  
where food intended for human consumption off the  
premises, is manufactured, produced, stored,  
prepared, handled, or sold or offered for sale at  
retail or wholesale; or

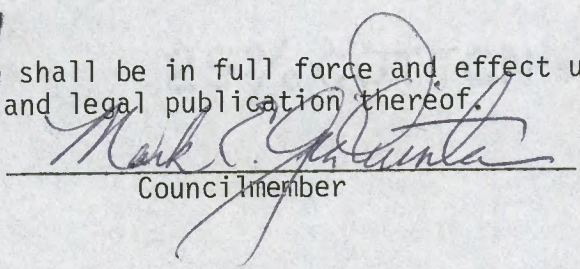
(c) In any drugstore.

SECTION 2. All food markets and drugstores shall display a sign  
in a conspicuous location on or near the entrance of the establishment which  
sign shall recite the prohibition against smoking therein and also cite this  
ordinance number.

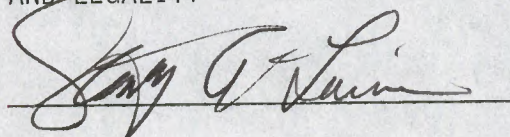
SECTION 3. Any person who shall violate the provisions of Section  
1 shall be guilty of a misdemeanor punishable by a fine of not more than one  
hundred dollars (\$100.00).

~~by imprisonment for not more than ten (10) days,  
or both such fine and imprisonment.~~

SECTION 4. This Ordinance shall be in full force and effect upon  
its passage, approval by the Mayor, and legal publication thereof.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY





Read the first time in full and on motion by GiaQuinta,  
seconded by Stier, and duly adopted, read the second time  
by title and referred to the Committee Finance (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on Wednesday, the 2nd day of  
April, 19 84, at 7:00 o'clock P..M., E.S.T.

DATE: 3-27-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta,  
seconded by Talarico, and duly adopted, placed on its  
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	<u>1</u>	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	<u>✓</u>	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-10-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. G-05-84  
on the 10th day of April, 19 84,

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)  
Bay-A-E-Boat  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 11th day of April, 19 84,  
at the hour of 11:00 o'clock A..M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of April,  
19 84, at the hour of 1 o'clock P..M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



BILL NO. G-84-03-25

OF THE WHOLE  
REPORT OF THE COMMITTEE ON XXXXXX

WE, YOUR COMMITTEE ON XXXXXX OF THE WHOLE TO WHOM WAS REFERRED AN  
ORDINANCE amending General Ordinance G-30-76. (smoking)  
no

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

MARK E. GIAQUINTA, XXXXXXXX

JAMES S. STIER, XXXX CHAIRMAN

JANET G. BRADBURY

THOMAS C. HENRY

DONALD J. SCHMIDT

CHARLES B. REDD

SAMUEL J. TALARICO

(absent)

(over)

CONCURRED IN  
SANDRA E. KENNEDY, CITY CLERK

PAUL M. BURNS

abstained

BEN A. EISBART

(absent)

- 295,722 - 4,299 -



*An Ordinance Amending  
General Ordinance G-30-76*

*Now therefore Be it Ordained by CC -*

a (1) No person shall have in his possession any lighted pipe, cigar, cigarette, or other device for human smoking while:

(1) In or upon any elevator, in any building open to the public or used for human habitation for more than one family;

(2) In any food market which term shall include, but not necessarily be limited to, a grocery, meat market, poultry market, fish market, fresh fruit and vegetable market, delicatessen, confectionery, candy kitchen, nut store, retail bakery store or any other establishment, whether fixed or movable, where food, intended for human consumption off the premises, is manufactured, produced, stored, prepared, handled, or sold or offered for sale at retail or wholesale; or

(3) In any drugstore.

(c) Any person who shall violate the provisions of subsection (a) shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00) or by imprisonment for not more than ten (10) days, or both such fine and imprisonment.

References: G-30-76 - Code SS 18.42.1

G-41; G-23-75 - Code SS 13-1

(b) all food markets and drugstores shall display a sign in a conspicuous location on or near the entrance of the establishment which sign shall ~~shall~~ recite the prohibition against smoking therein and also cite this ordinance number.





# The City of Fort Wayne

April 17, 1984

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of April 20, 1984 and April 27, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-84-03-25  
General Ordinance No. G-05-84

Please send us four (4) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 10th day of  
April, 19 84, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. G-84-03-25

Ordinance No. G-05-84 to-wit:

1 BILL NO. G-84-03-25

2 GENERAL ORDINANCE NO. G-05-84

3 AN ORDINANCE amending General Ordinance  
4 G-30-76.

5 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
6 OF FORT WAYNE, INDIANA:

7 SECTION 1. No person shall have in his possession any lighted  
8 pipe, cigar, cigarette, or other device for human smoking while:

9 (a) In or upon any elevator, in any building open to the  
10 public or used for human habitation for more than  
11 one family;

12 (b) In any food market which term shall include, but  
13 not necessarily be limited to, a grocery, meat  
14 market, poultry market, fish market, fresh fruit  
15 and vegetable market, delicatessen, confectionery,  
16 candy kitchen, nut store, retail bakery store or  
17 any other establishment, whether fixed or movable,  
18 where food intended for human consumption off the  
19 premises, is manufactured, produced, stored,  
20 prepared, handled, or sold or offered for sale at  
21 retail or wholesale; or

22 (c) In any drugstore.

23 SECTION 2. All food markets and drugstores shall display a sign  
24 in a conspicuous location on or near the entrance of the establishment which  
25 sign shall recite the prohibition against smoking therein and also cite this  
26 ordinance number.

27 SECTION 3. Any person who shall violate the provisions of Section  
28 1 shall be guilty of a misdemeanor punishable by a fine of not more than one  
29 hundred dollars (\$100.00).



Read tht third time in full and on motion by GiaQuinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the the following vote:

Ayes: Eight  
Bradbury, Burns, Eisbart, GiaQuinta, Redd, Schmidt,  
Stier, Talarico  
Nays: None  
Abstained: One  
Henry

Date: 4-10-84

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-84 on the 10th day of April, 1984.

ATTEST:

(SEAL)

Sandra E. Kennedy  
City Clerk

Ben A. Eisbart  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1984, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 12th day of April, 1984, at the hour of 1:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of  
General \_\_\_\_\_ Ordinance No. G-05-84,  
passed by the Common Council on the 10th day of  
April, 19 84, and that said Ordinance was  
duly signed and approved by the Mayor on the 12th day of  
April, 19 84, and now remains on file and  
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,  
Indiana, this 12th day of April, 19 84.

SEAL

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		1
Head	number of lines	103
Body	number of lines	1
Tail	number of lines	105
Total number of lines in notice		105

COMPUTATION OF CHARGES

105 1 105 .345¢ 36.23  
lines, columns wide equals equivalent lines at cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Proofs of publication (50 cents for each proof in excess of two) 2 extra copies 1.00  
37.23

AMOUNT OF CLAIM

LEGAL NOTICE  
Notice is hereby given that on the 10th day of April, 1984, the Common Council of the City of Fort Wayne, Indiana, in its Regular Session did pass the following Bill No. G-84-03-25 Ordinance No. G-05-84 to-wit:  
BILL NO. G-84-03-25  
GENERAL ORDINANCE  
NO. G-05-84  
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. No person shall have in his possession any lighted pipe, cigar, cigarette, or other device for human smoking while:  
(a) In or upon any elevator, in any building open to the public or used for human habitation for more than one family;  
(b) In any food market which term shall include, but not necessarily be limited to, a grocery, meat market, poultry market, fish market, fresh fruit and vegetable market, delicatessen, confectionery, candy kitchen, nut store, retail bakery store or any other establishment, whether fixed or moveable, where food intended for human consumption off the premises, is manufactured, produced, stored, prepared, handled, or sold or offered for sale at retail or wholesale; or  
(c) In any drugstore.  
SECTION 2. All food markets and drugstores shall display a sign in a conspicuous location on or near the entrance of the establishment which sign shall recite the prohibition against smoking therein and also cite this ordinance number.  
SECTION 3. Any person who shall violate the provisions of Section 1 shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00).  
SECTION 4. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and legal publication thereof.  
Merk GiaQuinta  
Councilmember  
Read the third time in full and on motion by GiaQuinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:  
Ayes: Eight  
Bredbury, Burns, Eisbart, GiaQuinta, Redd, Schmidt, Stair, Talarico  
Nays: None  
Abstained: One  
Henry  
Date: 4/10/84  
Sandra E. Kennedy  
City Clerk  
Presented and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-84 on the 10th day of April, 1984.  
ATTEST:  
Sandra E. Kennedy  
City Clerk  
(SEAL)  
Ben A. Eisbert  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1984, at the hour of 11:00 o'clock A.M., E.S.T.  
Sandra E. Kennedy  
City Clerk  
Approved and signed by me this 12th day of April, 1984, at the hour of 1:00 o'clock P.M. E.S.T.  
Win Moses, Jr.  
Mayor  
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-05-84, passed by the Common Council on the 10th day of April, 1984, and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of April, 1984.  
Sandra E. Kennedy, City Clerk  
4/20-27

ST  
column 9.6 picas Size of type 6 point  
2 Size of quad upon which type is cast 6

Count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose  
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:  
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, two times which was duly published in said paper for the dates of publication being as follows: 4/20 - 4/27/84  
27th April 84  
Subscribed and sworn to me before this day of 19  
Anne M. Perkins  
Notary Public  
November 29, 1985  
My commission expires



PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		.....
		1
Head	number of lines	.....
		103
Body	number of lines	.....
		1
Tail	number of lines	.....
		105
Total number of lines in notice		.....

COMPUTATION OF CHARGES

105 lines, 1 columns wide equals 105 equivalent lines at .345¢ \$ 36.23  
cents per line

LEGAL NOTICE	notices containing rule or tabular work (50 per cent of above amount)	.....
Notice is hereby given that on the 10th day of April, 1984, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-84-03-25 Ordinance No. G-05-84 to-wit:		
BILL NO. G-84-03-25	of publication (50 cents for each proof in excess of two) 2 extra	1.00
GENERAL ORDINANCE		
NO. G-05-84		37.23
AMOUNT OF CLAIM		\$.....

DA SECTION 1. No person shall have in his possession any lighted pipe, cigar, cigarette, or other device for human smoking while:  
(e) In or upon any elevator, in any building open to the public or used for human habitation for more than one family;  
(b) In any food market which term shall include, but not necessarily be limited to, a grocery, meat market, poultry market, fish market, fresh fruit and vegetable market, delicatessen, confectionery, candy kitchen, nut store, retail bakery store or any other establishment, whether fixed or moveable, where food intended for human consumption off the premises, is manufactured, produced, stored, prepared, handled, or sold or offered for sale at retail or wholesale; or  
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SECTION 2. All food markets and drugstores shall display a sign in a conspicuous location on or near the entrance of the establishment which sign shall recite the prohibition against smoking therein and also cite this ordinance number.  
SECTION 3. Any person who shall violate the provisions of Section 1 shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00).  
SECTION 4. This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and legal publication thereof.  
Mark GiaQuinta  
Councilmember  
Reed the third time in full and on motion by GiaQuinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:  
Ayes: Eight  
Bradbury, Burns, Eisbart, GiaQuinta, Radd, Schmidt, Steir, Talarico  
Neys: None  
Abstained: One  
Henry  
Date: 4/10/84  
Sandra E. Kennedy  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-84 on the 10th day of April, 1984.  
ATTEST:  
Sandra E. Kennedy  
City Clerk  
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nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose  
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:  
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 4/20 - 4/27/84  
Subscribed and sworn to me before this 27th day of April 19 84  
Notary Public  
November 29, 1985  
My commission expires

(SEAL)  
Ben A. Eisbart  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1984, at the hour of 11:00 o'clock A.M., E.S.T.  
Sandra E. Kennedy  
City Clerk  
Approved and signed by me this 12th day of April, 1984, at the hour of 7:00 o'clock P.M. E.S.T.  
Win Moses, Jr.  
Mayor  
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-05-84, passed by the Common Council on the 10th day of April, 1984, and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of April, 1984.  
Sandra E. Kennedy, City Clerk  
4/20-27



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

1

Body number of lines

103

Tail number of lines

1

Total number of lines in notice

105

COMPUTATION OF CHARGES

105 lines, 1 columns wide equals 105 equivalent lines at .345¢ \$ 36.23  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra copies 1.00

TOTAL AMOUNT OF CLAIM

\$ 37.23

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Rose

Date Apr. 27, 19 84

Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Rose who, being duly sworn, says that he/she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/20 - 4/27/84

Subscribed and sworn to me before this 27th day of April 19 84

Drusilla Rose  
Anne M. Perkins  
Notary Public

My commission expires November 29, 1985

Spring

749-0287  
FREE ESTIMATES  
HOT ASPHALT  
FLAT ROOFING  
R. L. PATTY ROOFING CO.

461-8258  
Program:  
IN EDUCATION  
NEWSPAPER  
Ask about our

terception there, but we'll  
aid, adding that his specu-  
ns would likely survive a  
"just guessing along with  
n American about what's  
4/20-27



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1  
103  
1  
105

COMPUTATION OF CHARGES

105 lines, 1 columns wide equals 105 equivalent lines at .345¢ 36.23 cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra

1.00  
37.23

TOTAL AMOUNT OF CLAIM

\$

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Apr. 27 19 84

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose

that he/she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/20 - 4/27/84

Subscribed and sworn to me before this 27th day of April 19 84

Chene M. Perkins  
Notary Public

My commission expires November 29, 1985



seal of the City of Fort Wayne, Indiana, this 12th day of April, 1984.  
Sandra E. Kennedy, City Clerk  
4/20-27